

On May 13, 1943, the defendant having changed its original plea of not guilty to a plea of guilty, the court imposed a fine of \$50 on each of the 3 counts, totaling \$150.

949. Misbranding of Grange Poke Root and Salt Petre Compound. U. S. v. Dairy Association Co., Inc. Plea of nolo contendere. Fine, \$100. (F. D. C. No. 7292. Sample No. 90155-E.)

The labeling of this veterinary preparation contained false and misleading therapeutic claims.

On August 8, 1942, the United States attorney for the District of Vermont filed an information against the Dairy Association Co., Inc., Lyndonville, Vt., alleging shipment on or about August 30, 1941, from the State of Vermont into the State of New Hampshire of a quantity of Grange Poke Root and Salt Petre Compound which was misbranded.

Analysis of the article showed that it consisted essentially of ground root and potassium nitrate.

The article was alleged to be misbranded in that the statements appearing in its labeling which represented and suggested that it would be efficacious in the cure, mitigation, treatment, or prevention of garget, mastitis or fever, were false and misleading since it would not be efficacious for such purposes.

On April 6, 1943, the defendant having entered a plea of nolo contendere, the court imposed a fine of \$100.

950. Misbranding of Wasa-Tusa. U. S. v. A. B. Seelye Medical Co. Plea of guilty. Fine, \$10 and one-half of the costs. (F. D. C. No. 7747. Sample No. 73654-E.)

On December 12, 1942, the United States attorney for the District of Kansas filed an information against the A. B. Seelye Medical Co., a corporation, Abilene, Kans., alleging shipment on or about January 21, 1942, from the State of Kansas into the State of Missouri of a quantity of the above-named drug which was misbranded.

Analysis showed that the article consisted essentially of small proportions of volatile oils, including camphor, oil of sassafras, and oil of pine, ammonia, cap-sicum, chloroform and alcohol colored with amaranth.

The article was alleged to be misbranded in that the statements appearing in its labeling, "Swellings, etc., on Animals. For Colic in Horses, Bloating and Diarrhoea in Cattle and Young Calves. Dose 1 teaspoonful to 3 tablespoonfuls in pint of hot water, then repeat in 20 minutes if needed," were false and misleading in that they represented and suggested that the article would be efficacious in the cure, mitigation, treatment, or prevention of swellings on animals, colic in horses, and bloating and diarrhea in cattle and young calves, whereas it would not be efficacious for such purposes.

On April 12, 1943, the defendant having entered a plea of guilty, the court imposed a fine of \$10 and one-half of the costs.

INDEX TO NOTICES OF JUDGMENT D. D. N. J. NOS. 901-950

PRODUCTS

	N. J. No.		N. J. No.
Abortifacients	¹ 901, 905	Chloroform liniment	914
Alcohol, rubbing	915, 916, 935	Coconut milk	933
Alimentone Tablets and Alimentone Powder	² 929	Cod liver oil concentrate	938
Ammonia, aromatic spirit of	923	Cosmetics (subject to drug provisions of the Act)	942
water	914	Cow-Vet	920
Analgesic Balm	912	Cruez Herb Douche, and Cruez Herb Tea Nos. 9 and 10	934
Antiseptics	926, 935, 943	Devices	908
Aspirin tablets	936	Diabetes, remedy for	910
Athlete's Isopropyl Alcohol Compound	915, 916	Digitalis tablets	³ 917
Azamine Capsules	924	Dr. Peter's Kuriko	909
Betene	937	Dolphin's Natural Barks	⁴ 927, ² 928
Boric acid, saturated solution of	914	Domino Brand Antiseptic Rubbing Compound with Isopropyl Alcohol	935
Bullock's System Self Treatment for Sinus and Catarrhal Infection	908	Effervescent Kruschen	939
Cascara compound tablets	³ 917		
Chagnon's Sirotar	938		

¹ Permanent injunction issued.

² Prosecution contested.

³ Prosecution contested. Contains opinion of the court.

⁴ Permanent injunction issued. Contains findings of fact and conclusions of law.

FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

951-1000

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by the United States attorneys acting upon reports submitted by direction of the Federal Security Administrator.

WATSON B. MILLER, *Acting Administrator, Federal Security Agency.*

WASHINGTON, D. C., August 21, 1944.

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DRUGS ACTIONABLE BECAUSE OF POTENTIAL DANGER WHEN USED ACCORDING TO DIRECTIONS

951. Misbranding of Improved Cold Tablets. U. S. v. 126 Packages of Improved Cold Tablets. Default decree of condemnation and destruction. (F. D. C. No. 8936. Sample No. 26201-F.)

On December 2, 1942, the United States attorney for the Northern District of Indiana filed a libel against 126 packages of Improved Cold Tablets at Fort Wayne, Ind., alleging that the article had been shipped in interstate commerce on or about September 14, 1942, by the Hygenol Co. from Minneapolis, Minn.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of acetanilid 1½ grains per tablet, camphor monobromated, cinchonidine sulfate, capsicum, caffeine, and extracts of plant drugs, including a laxative drug.

The article was alleged to be misbranded (1) in that the statements appearing upon its label, "Cold Tablets * * * For the Relief from Common Head Colds, * * * For the relief of distress and discomfort due to Common Head Colds, etc.," were false and misleading since such statements represented and suggested that the article was effective in the treatment of head colds, whereas it was not so effective; (2) in that its labeling failed to bear ade-

*For omission of, or unsatisfactory, ingredients statements, see Nos. 954, 956, 961, 991, 994; inconspicuousness of required label information, No. 958; cosmetic, subject to the drug provisions of the Act, No. 992.